

REMARKS

The February 9, 2007 Notification indicates that the content of the computer readable form of the Sequence Listing as filed fails to comply with the requirements of 37 C.F.R. §1.822 and/or §1.823 and that applicant must provide a substitute computer readable form of the Sequence Listing and a statement that the content of the computer readable form of the Sequence Listing is identical to the content of the paper or compact disc copy of the Sequence Listing and contains no new matter.

Example 15, which is present on pages 45-46 of the above-identified application as filed, lists five (5) siRNA sequences which have been allocated SEQ ID NOS: 3-7. However, due to a typographical error, the siRNA sequences listed in Example 15 erroneously contained thymine ("t"), which is found in DNA sequences, instead of uracil ("u"), which is found in RNA sequence.

The present specification states that siRNA refers to "an RNA molecule which decreases or silences (prevents) the expression of a gene/ mRNA of its endogenous or cellular counterpart" (page 17, lines 31-32).

Throughout the specification, the sequences identified by SEQ ID NOS: 3-7 are referred to as siRNA molecules and therefore cannot contain t. For example, page 18, lines 24-26, states that "siRNA for HNOEL-iso can be made using methods known in the art as described above, based on the known sequence of HNOEL-iso (SEQ ID NO:1), and can be made stably by various modifications as described above." Most significantly, Example

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15 specifically refers to the sequences identified by SEQ ID NOS: 3-7 as siRNA sequences on page 45, lines 6-8, 17, 19, 23-25, and 28 and on page 46, lines 3 and 4 of the specification as originally filed.

Applicants maintain that these amendments to the specification and Sequence Listing changing t to u in the sequences contained in Example 15, and identified by SEQ ID NOS: 3-7, is not new matter because (i) it is clear from the subject application that the sequences are RNA, not DNA; (ii) RNA sequences do not contain t and but rater u instead; and (iii) the error is obvious and/or typographical in nature.

By this Amendment, applicants have further amended the specification on pages 44-46 to make minor stylistic changes and to add the requisite sequence identifiers following the sequences disclosed in Examples 14 and 15. Applicants maintain that these amendments raise no issue of new matter.

Accordingly, for the reasons states above, applicants respectfully request that this Amendment be entered.

In response to the February 9, 2007 Notification, applicants attach hereto as **Exhibit B** a substitute paper copy of the Sequence Listing; enclose herewith a diskette containing a computer readable form of the substitute Sequence Listing; and attach hereto as **Exhibit C** a Statement indicating that the enclosed computer readable form of the Sequence Listing is identical to the content of the substitute paper copy of the Sequence Listing, contains no new matter, and contains the same sequence as the above-identified application as hereby

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amended. An amendment replacing the paper copy of the Sequence Listing as filed with the attached substitute paper copy of the Sequence Listing is referred to on page 6 of this Amendment.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the enclosed \$795.00 fee for a four-month extension of time, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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**EXHIBIT A**

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**EXHIBIT B**

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**EXHIBIT C**

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